

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 18-88 (DWF/SER)

Plaintiff,

v.

ORDER

Omar Kashaka Taylor,

Defendant.

This matter is before the Court on Defendant Omar Kashaka Taylor's motion to modify and clarify the Protective Order that was filed in this matter on May 2, 2018 (Doc. No. [18]). Defense counsel has asserted that the current Protective Order prevents the Defendant from having access to discovery by prohibiting him from having copies of materials with personal identifiers, even after they have been redacted. Because of the volume of the discovery on the record in this case, which is approximately 35,000 pages of discovery and more than 1,200 pages of the jury trial transcript, defense counsel has requested that Defendant be able to review the trial transcript, including copies of the trial exhibits, at the Sherburne County Jail. The Court has been informed that the personal identifiers have been removed from all of the documents in question.

The Court has not only reviewed the entire record in this matter, including its procedural history, but has also had his courtroom deputy consult with the U.S. Marshal Service with respect to the options available at the Sherburne County Jail. In so doing, the Court has arrived at a decision in this case which the Court concludes is fair to all

parties concerned and addresses the concerns of not only the defense, but the government.

Based upon the presentations of the parties, and the Court having reviewed the procedural history and case file in this matter, in addition to having his courtroom deputy consult with the Marshal Service with respect to the options available at the Sherburne County Jail and the Court being otherwise duly advised in the premises, hereby enters the following:

ORDER

Defendant's motion to modify and clarify the Protective Order (Doc. No. [161]) is granted in part and denied in part as follows:

1. The Court has been informed that there is a room near the conference rooms where attorneys generally meet with and have professional visits with their clients or inmates at the Sherburne County Jail that has a glass partition. On the secure side of the glass partition, there is a computer, and on the opposite side, there is a monitor, keyboard and mouse. Given that resource, the Court respectfully directs that counsel for the Defendant provide a flash drive with discovery materials to the appropriate officials at the Sherburne County Jail in consultation with the Marshal Service. The Defendant will then be allowed to be in the room alone and jail personnel will connect the flash drive to the computer and the Defendant can then view all materials on the flash drive. A blank Word document can be opened on the computer for the Defendant to take notes and the jail staff can then print the notes, if necessary, and store them with the flash drive.

The Court will be respectfully requesting, in consultation with the Marshal Service, that the Defendant have access to the room for up to three to four hours a day on consecutive days so that he has a reasonable amount of time to review the discovery that is at issue and the subject of this motion.

The Court will make itself available for any need for clarification by counsel or by the Marshal Service, including the appropriate personnel at the Sherburne County Jail.

The Court therefore respectfully requests that the Marshal Service work in coordination with the appropriate officials at the Sherburne County Jail so that the Defendant can be alone in the room in question and have access of three to four hours per day until he has had an opportunity to review all discovery as requested. The Court will make itself available for an inquiry, whether by the Marshal Service or by counsel for the Defendant, or counsel for the Government.

2. Defendant's prior *pro se* motion (Docket No. [121]) is denied as moot.

3. In addition to E-filing this Order the Court directs that a copy of this Order be provided to the appropriate individuals at the Marshal Service in conjunction with the Sherburne County Jail personnel.

Dated: August 21, 2019

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge